



Bob Holden, Governor • Stephen M. Mahfood, Director

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL QUALITY

P.O. Box 176 Jefferson City, MO 65102-0176

OCT 12 2001

Mr. Jeffrey Zelms, President
The Doe Run Resources Corporation
d/b/a The Doe Run Company
1801 Park 270 Drive, Suite 300
St. Louis, MO 63146

40173243



SUPERFUND RECORDS

Site: Herculanum
ID# MND006246323

Break: 1.0

Other: _____

10-12-01

A717

Dear Mr. Zelms:

The Department of Natural Resources made field observations on October 5, 2001, related to Doe Run's Herculanum facility. Field observations indicate Doe Run has failed to implement corrective actions in the Order to Abate and Cease and Desist Violations issued by the department on September 25, 2001, which Doe Run has appealed. This letter specifies those failures and also outlines continuing and/or new hazardous substance emergencies potentially actionable under the Missouri Hazardous Waste Management Law, Sections 260.500 through 260.575, RSMo. The items listed below are based on reported field observations and other information, and may not be an exhaustive list of deficiencies with respect to the requirements of the Order and the need to abate hazardous substance emergencies. Even though Doe Run has appealed the Order, we are notifying you of these issues in an effort to persuade Doe Run to implement timely and appropriate corrective actions according to the Order and applicable laws and regulations because of our serious public health concerns related to Doe Run's operations.

1. Doe Run has not immediately ceased all activities that cause fugitive dust to leave the property boundaries of the facility according to Section III. Corrective Actions Required, paragraph 1 of the Order. Department staff reported three separate observations on October 5, 2001, of fugitive emissions from storage piles at the south end of the facility. Steaming material was being removed from the furnace and dumped near piles. The steam dissipated by the time the plume reached the facility fence at Station Street. Dust was observed continuing across Station Street to the fence at the sewage treatment plant. The emissions appeared to be from the high lift that was moving the material after it was dumped.

The following field observations were also reported for October 5, 2001, which indicate a failure to cease all activities that cause fugitive dust to leave the property boundaries. Product trucks were observed loading at the south loading docks and exiting through the scales without washing. Trucks picking up dross (copper containing skimmings) were observed entering the back gate and exiting without washing. Dump trucks and tanker trucks were observed entering and leaving the scale area without washing. On three occasions city sewer trucks and water supply district trucks were observed traveling to and from the sewage treatment plant via Station Street without washing. A utility truck with a flat bed trailer was observed to enter the back gate via Station Street, and subsequently exited with a bobcat on the trailer without washing. On several occasions, the street sweeper was observed operating in areas around the scales, and then sweeping Main and Station Streets without having washed its tires. Work had not been started on the temporary tire wash area that we discussed with facility personnel on

October 4, 2001. This facility was to be constructed near the loading docks at the south end of the facility to be used for trucks entering the loading docks and/or the back gate of the plant.

Field observations reported from October 5, 2001, indicate that the street sweeper was not observed on Joachim Street on either the primary or secondary haul routes, or on any of the contaminated side streets along the haul routes. It appeared the sweeper turned around on Main and Station Streets where they intersect Joachim Street without sweeping the entire extent of the haul routes. If trucks and other vehicles are continuing to leave the facility unwashed, then it appears that lead-containing dust will continue to be deposited on the city streets. These circumstances indicate that cleaning of the entire extent of the haul routes and contaminated side streets must continue until all trucks leaving the facility are clean, Doe Run discontinues use of open dump trucks (tarpred or untarpred), and repaving of haul routes and intersecting streets where contamination exists is complete according to the Order.

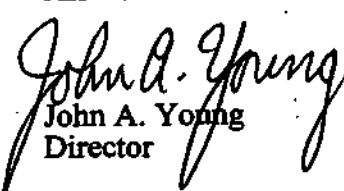
These observations also indicate a continuation of the hazardous substance emergency as of October 5, 2001.

2. According to Section III. Corrective Actions Required, paragraph 2 of the Order, and based on XRF data collected by department staff on October 4, 2001, Doe Run must have consulted with the city of Herculeum by October 11, 2001, to develop a plan for repaving the hauling routes and the intersecting streets where contamination exists. According to the Order, the repaving plan is due to the department according to the schedule in the Order.
3. The department has not received Doe Run's detailed plan for concentrate delivery to the Herculeum smelter according to Section III. Corrective Actions Required, paragraphs 3 and 5 of the Order.
4. Field observations indicate that Doe Run continues to transport lead concentrate and other hazardous substances along the public streets of Herculeum. According to Section III. Corrective Actions Required, paragraph 8 of the Order, Doe Run must immediately cease transport of lead concentrate and other hazardous substances along the public streets of Herculeum if any of the corrective actions required under the Order are not taken within the timeframes prescribed in the Order.

Please contact Mr. Dan Schuette at (573) 751-1387 if you have any questions about this letter.

Sincerely,

AIR AND LAND PROTECTION DIVISION


John A. Young
Director

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